

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

CIRO CID ADAMES, #424352 §  
§  
V. § CIVIL ACTION NO. G-04-047  
§  
WARDEN FOSTER, ET AL. §

**PARTIAL ORDER OF DISMISSAL**

Before the Court for its Order of Acceptance is a Report and Recommendation of the United States Magistrate Judge, entered on April 25, 2005. Plaintiff has filed objections to the Report and Recommendation; however, the objections, even if true, fail to state a cognizable Section 1983 claim against the Defendants recommended for dismissal.

After *de novo* review pursuant to 28 U.S.C. §636 (b)(1)(C), this Court is of the opinion that the Report and Recommendation of the Magistrate Judge should be, and it is hereby, **ACCEPTED** in its entirety and incorporated by reference herein. It is **ORDERED** that all claims against all Defendants except Defendants Foster and Jackson are **DISMISSED** with prejudice for failure to state a claim for which relief can be granted and as frivolous.

This matter shall be returned to the Magistrate Judge for further screening of Eighth Amendment claims.

**DONE** at Galveston, Texas, this the 24<sup>th</sup> day of May, 2005.

  
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Samuel B. Kent  
United States District Judge